

**MINUTES OF MEETING  
HERITAGE OAK PARK  
COMMUNITY DEVELOPMENT DISTRICT**

The workshop of the Board of Supervisors of the Heritage Oak Park Community Development District was held on Thursday, April 19, 2018 at 9:00 a.m. immediately followed by the regular meeting at 10:00 a.m. at the Heritage Oak Park Lodge, 19520 Heritage Oak Boulevard, Port Charlotte, Florida.

Present and constituting a quorum were:

Brian Bitgood	Chairperson
Paul Falduto, Jr.	Vice Chairperson
Olin Earl Bell	Assistant Secretary
Donald Oppenheim	Assistant Secretary
Edward Carey	Assistant Secretary

Also present were:

Robert Koncar	District Manager
Michelle Egan	Project Manager
Residents	

*The following is a summary of the minutes and actions taken at the April 19, 2018 workshop and regular meeting of the Heritage Oak Park CDD Board of Supervisors.*

**WORKSHOP AGENDA**

**FIRST ORDER OF BUSINESS**

**Call to Order and Roll Call**

Mr. Bitgood called the workshop meeting to order and Mr. Koncar called the roll.

**SECOND ORDER OF BUSINESS**

**Discussion on O&M Budget for Fiscal Year 2019**

- Mr. Bitgood reviewed the O&M Budget for Fiscal Year 2019 highlighting the following:
  - Pro-Serv Engineering should be increased from \$1,000 to \$5,000.
  - Communication/Freight-General should be left at \$900.
  - R&M-Gates at \$3,000 should stay at \$3,000.
  - R&M Security Cameras will be kept at \$2,000.
  - Under Field, Contracts-Management Services, Contracts-Lake & Wetland and Contracts Landscapes was discussed.

- Mr. Carey felt the CDD should get a credit for the period the security position was vacant.
  - Mr. Falduto noted when we approved the Fiscal Year 2017/2018 budget, we approved payment for a person to lock up the buildings and unlock them on the weekends. Those funds were approved to be paid at the time the budget was approved.
  - In the interim, between the time we approved the budget and the time it started, our current lock door personnel decided to terminate his employment at the Park.
  - Mr. Bitgood asked that Utility-General remain at \$37,200.
  - R&M Entry Feature/Wall should be reduced from \$7,000 to \$5,000. The word Wall should be removed.
  - Eliminate R&M for Lake Maintenance.
  - For Miscellaneous-Hurricane Expense \$5,000 should be added.
  - R&M for Parking Lots should be increased from \$250 to \$500.
  - R&M Roads should be reduced from \$7,000 to \$5,000.
  - R&M Streetlights should be reduced from \$9,500 to \$7,000.
  - R&M Tennis Courts reduced to \$5,000.
  - R&M Contract-Irrigation should be increased to \$49,500.
- This budget will be reviewed again next month.

**THIRD ORDER OF BUSINESS**

**Adjournment**

There being no further workshop discussions, this portion of the meeting was adjourned.

**REGULAR MEETING**

**FIRST ORDER OF BUSINESS**

**Call to Order and Roll Call**

Mr. Bitgood called the meeting to order and Mr. Koncar called the roll.

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance**

The Pledge of Allegiance was recited.

**THIRD ORDER OF BUSINESS**

**Audience Comments on Agenda Items**

There being no audience comments, the next item followed.

**FOURTH ORDER OF BUSINESS**

**Approval of Consent Agenda**

- Under Old Business a request was made to add: Bocce Courts; Surplus Equipment and Lock Up Position.
- A. Approval of the Minutes of March 15, 2018**
- B. Financial Statements and Check Register**

On MOTION by Mr. Falduto seconded by Mr. Bitgood with all in favor the Consent Agenda was approved with the addition of the items listed above.

**FIFTH ORDER OF BUSINESS**

**Old Business**

**A. Bank Restoration Project – tabled from last meeting**

- Mr. Bitgood noted this item was tabled from last month. We asked our engineering company to take a look at the banking problems. After review with Artistry and Ms. Egan, we determined we will add approximately 100 ornamental grasses and different size rock to prevent more erosion. We would rather do that than go with a formal contract. We will review the situation after some months.

**B. Rules for Kitchen Procedures**

- Mr. Koncar noted at the last meeting, he was requested to prepare a draft policy for kitchen procedures. He drafted rules for a policy for Board approval.
- We will assign responsibility and they would have to sign off to ensure the kitchen is clean.
- If it is incomplete, they would be responsible to ensure it is done, including cleaning the refrigerator, wiping down all countertops, sweeping and mopping the floor, cleaning all utensils, removing all leftover food, making sure all the trash is in the dumpster, turning the lights off and closing the door.
- Mr. Carey felt the kitchen protocols should be described in more detail and suggested tabling adoption of the protocols and come back to the Board with revised procedures.

On MOTION by Mr. Carey seconded by Mr. Falduto with all in favor to table the discussion on kitchen operational protocols until the May 17, 2018 Board Meeting.

**C. Bocce Courts**

- Mr. Bell discussed the bocce courts and spoke with the Activities Director.
- Another issue related to the bocce courts is a request for tree removal on the parking lots of the bocce courts. There are approximately ten roots, 4” to 6” out of the ground.

- Mr. Bitgood noted the canopy will be added to next month's meeting so we will all have a chance to look at it. Tree removal, we will get in touch with Artistree and the County and go through the proper procedures.

**D. Surplus Equipment**

- Mr. Bitgood noted last month it was decided the old golf cart along with five surface tables can be donated. He has since discovered that Night Watch is a qualified charitable organization.

On MOTION by Mr. Oppenheim seconded by Mr. Bell with all in favor the donation of the golf cart to the charitable organization, the Night Watch, was approved.

- He noted there are five surplus surface tablets. Two schools voiced interest in receiving them, Charlotte County School System and DeSoto County School System.

On MOTION by Mr. Oppenheim seconded by Mr. Falduto with all in favor the donation of the five surplus surface tablets to Charlotte County School System was approved.

**E. Lock Up Position**

- Mr. Koncar noted the individual we had locking up, quit several months back; we advertised the position; it was posted for 60 days; we received several candidates, we made an offer to one candidate who turned it down. The other candidates were not suitable.
- At that time, Mr. Falduto volunteered to help out until we found somebody. He agreed to it temporarily.
- Mr. Koncar checked with the District Counsel who stated as long as he did not exceed the annual amount Board members are authorized to receive, \$4,800, it would be fine. Mr. Koncar checked with the HR Department so we brought him on last month.
- It is a temporary position because we need to find someone to fill the position within the next several months. It is a 10 hour per week position. We will re-advertise the position.
- In response to Mr. Bell's question, Mr. Koncar noted we will post the position on the website.
- Mr. Bitgood discussed the contract proposal from CPH for the mainline repair work.
- He requested this item be taken off the table to discuss under Staff Reports-Engineer.

On MOTION by Mr. Falduto seconded by Mr. Oppenheim with Mr. Falduto, Mr. Oppenheim, Mr. Carey and Mr. Bitgood voting aye and Mr. Bell voting nay, taking this item off the table at this time and bringing it up under Staff Reports-Engineer, was approved.

- The changes the Board requested were included in the contract and reviewed by District Counsel. It was included in the agenda package.

**SIXTH ORDER OF BUSINESS**

**New Business**

**A. Discussion on Development of a Committee to Review Management Contact**

- Mr. Bell noted at the last meeting he made a statement he was unhappy with the services received from the management company in particular regarding payment of close to \$250,000 yearly for their services.
  - He personally does not feel we receive the services that are required.
  - He noted in the past three months, they ignored us with the storm drainage damage problem by keeping us updated with financial information and direction with our kitchen situation.
  - He felt the Supervisors are not being informed daily on items that come before the Board so they can make sound decisions.
  - In the past, on a weekly basis, the Board would receive a schedule from the staff with reference to what has been done that week and what is projected for the next week. He has not seen one of those since August 2017. He felt the Board does not receive minute summaries in a timely fashion as they were accustomed to in the past. They would get them on the second day or the third the latest. Now it takes at least one week.
- Mr. Falduto noted listening to Mr. Bell, this is the first time he has heard of this. He felt this is not the correct venue to bring up these types of items. If we have issues with our employees, they should be brought up with the Chairman, for the Chairman to investigate if they are accurate or not.
- Mr. Falduto noted if we have problems with the management company that we have a contract with, the proper way to do it is to bring those issues up with the Chairman; have the Chairman investigate to see if they are correct. If they are correct, meet with the management

company to try and resolve these issues. For us to even consider this, we should give our current management company and our employees the attempt to correct these issues.

- He suggested to Mr. Bell the last year or two have been different from prior years when he was Chairman noting this Board has been more active. The Board has had to go through hiring of a Maintenance Person and our On-Site Manager was tasked with dealing with the hurricane; all the improvements the new Board has pushed; hiring employees plus dealing with three brand new Supervisors.
- He believed this matter would be better dealt with by referring it to the Chairman to investigate the allegations made by Mr. Bell. At that point, if the issues still exist, that is when you start looking for a new management company, not before.
- Mr. Bell noted as the Chairman is aware, he did approach him on a personnel matter and Mr. Koncar likewise was advised. He did go through proper channels. He met with Mr. Koncar yesterday and he asked if Mr. Bell would divulge his problems. Mr. Bell refused to tell Mr. Koncar because he wanted to bring it before the Board all at the same time rather than going to an individual without the Board knowing everything at the same time.
- Mr. Bitgood noted Mr. Bell you never mentioned the storm damage drainage problems or the kitchen or the status updates to him.
- Mr. Bell noted yes, he did mention staff problems.
- Mr. Bitgood noted he did. But, as far as Mr. Bitgood was concerned, that was not a problem.
- Mr. Bitgood noted they are in the process of catching up from many years of neglect in this Park. There were many things which were not done and should have been. That is what we have been doing for the last two years. Inframark, as far as he is concerned, has done an excellent job in supporting us and getting the work done. Mr. Bell, in the future, you may want to reconsider what you are talking about.
- Mr. Koncar noted if the Board as a whole or individual Board members have issues, concerning performance or personnel or our operation in general, he is always happy to address those issues.

#### **SEVENTH ORDER OF BUSINESS**

#### **In-House Staff Reports**

- Mr. Bitgood noted Mr. Brad McKnight is no longer our Field Manager.

- Mr. Koncar noted the Field Management Report was provided under separate cover. In the future, Mr. Brandon Romine, a new employee, will provide the monthly Field Reports.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

- Mr. Bitgood reported we received an email from our Attorney regarding the mainline contract. The attorney mentioned that because CPH is based out of the Orlando area, that should we go to litigation for any reason, we would have to go there. Another item mentioned, was they will not pay, even if we go to litigation and win, they want reimbursement for attorney fees.

On MOTION by Mr. Falduto seconded by Mr. Carey with all in favor the contract with CPH Engineering for mainline repair work was approved.

**B. Engineer**

- This was discussed above.

**C. Manager**

- Mr. Koncar noted we had the Workshop on the budget. We will take the comments from the Board and go back and rework the budget to present at the next meeting.

**NINTH ORDER OF BUSINESS**

**On-Site Administration Report – Project Updates**

- Ms. Egan gave the following updates:
  - She received a text message from Todd. They want to shut down the pool on Monday evening and anticipate reopening on Saturday. The pool needs to be drained down. She will send out an email blast saying the pool is being shut down Monday evening.
  - With draining of the pool, the pool decks will need to be shut down. Caution tape will be placed.
  - The pool shower will be redone. The plumber suggested possibly putting it on the “Off” switch.
  - The Lodge floors will be cleaned and polished next Friday. It will be closed down in the morning with the possibility of reopening in the afternoon. Lodge windows are in. Final inspection for these windows will be tomorrow.

- Fitness equipment has been ordered. The vendors received their checks. We ordered the three treadmills and the bicycle and the maintenance contract.
- Ms. Egan commented on the tennis courts and pickle ball courts with striping.
- The tennis players have requested not to stripe the second court.
- Mr. Bitgood will talk with the pickle ball players and the tennis court players.

On MOTION by Mr. Bell seconded by Mr. Carey with Mr. Bell, Mr. Carey, Mr. Falduto and Mr. Bitgood voting aye and Mr. Oppenheim voting nay, to reconsider the previous approved motion to stripe two courts for tennis and pickle ball.

On MOTION by Mr. Oppenheim seconded by Mr. Falduto with all in favor to approve the renovation to the tennis courts at a cost not-to-exceed \$17,100.

On MOTION by Mr. Bell seconded by Mr. Carey with Mr. Bell voting aye and Mr. Oppenheim, Mr. Carey, Mr. Falduto and Mr. Bitgood voting nay, the motion to stripe only one court for pickle ball, failed.

**TENTH ORDER OF BUSINESS**

**Supervisor Requests**

- Mr. Carey commented on the cookout and on appointing someone to take care of the lock out at 10:00 p.m.
- We need to be careful to operate to the requirements of this Board. When items do not come before the Board, he feels he is deprived of his opportunity to exercise his fiduciary duty to the people who elected the Supervisors.
- Mr. Oppenheim commented on clean-up projects.
- Mr. Falduto responded to Mr. Carey’s comments. To clarify, when the cookout was shut down, Mr. Bitgood made that decision, however, he was offsite and unable to put out that information. Mr. Falduto put out the information on his behalf. When the cookout was resumed, Mr. Bitgood made that decision and he allowed Mr. Falduto to make the announcement.

**ELEVENTH ORDER OF BUSINESS**

**Audience Comments**

- Mr. Koncar, in response to a resident’s comments, noted we have a system set up that if any resident is interested in the recording from the meeting, that could be sent to the resident.



April 19, 2018


Heritage Oak Park CDD

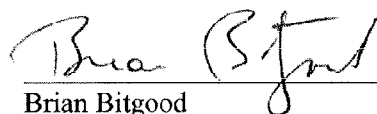
- Several residents commented on the pickle ball courts and the tennis courts.

**TWELFTH ORDER OF BUSINESS**

**Adjournment**

- There being no further business, the meeting was adjourned.

  
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Robert Koncar  
Secretary

  
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Brian Bitgood  
Chairman